



## **Annual Report of the Austrian Student Ombudsman 2017/18 submitted to the Austrian Minister for Education, Science and Research and to the Austrian Parliament**

### **Summary**

The Austrian Student Ombudsman (OS) at the Ministry of Education, Science and Research is required by Paragraph 31 Subsection 7 of the Austrian Act on Quality Assurance in Higher Education 2011

[https://www.ris.bka.gv.at/Dokumente/Erv/ERV\\_2011\\_1\\_74/ERV\\_2011\\_1\\_74.pdf](https://www.ris.bka.gv.at/Dokumente/Erv/ERV_2011_1_74/ERV_2011_1_74.pdf)

to submit its annual report (AR) for the previous academic year to the Minister and to Parliament each 15 December.

The annual report for 2017/18 (in German only) is available on the Austrian Parliament's website under

[https://www.parlament.gv.at/PAKT/VHG/XXVI/III/III\\_00239/imfname\\_730594.pdf](https://www.parlament.gv.at/PAKT/VHG/XXVI/III/III_00239/imfname_730594.pdf) and on the website of the Austrian Student Ombudsman under <http://www.hochschulombudsnetz.at/downloads/>.

The report covers the 2017/2018 academic year.

- **Subject of Report and General Statistics:**

The subject of the report is the Austrian Student Ombudsman's observations regarding the issues submitted to it during the reporting period under its statutory remit relating to courses, teaching, exams, services and administration at institutions of higher education in the Austrian Higher Education Area and at other institutions that deal with student issues.

These institutions of higher education comprise all Austrian public universities, private universities, universities of applied sciences, public and private teacher training universities, the Danube University Krems, the Diplomatic Academy of Vienna, the *Institute of Science and Technology Austria* and institutions known as § 27 HS-QSG Institutions (i.e. cross-border study programmes).

Other institutions concerned with student issues include the central Student Financial Aid Authority, the local Student Financial Aid offices, immigration authorities, etc..

The issues addressed were submitted to the Austrian Student Ombudsman by individuals from Austria and abroad who are applying to or who are interested in courses of study at such institutions, by current students and by former students.

The **number of students** at all institutions of higher education in the Austrian Higher Education Area (with varying cut-off dates) totals **386,792** in the 2017/18 academic year.

- The number of **applicants for study programmes** insofar as can be ascertained totalled **56,567** at universities of applied sciences (multiple applications possible!)
- there are no online figures available for applicants at public universities and teacher training universities
- **8,983** applicants at private universities.

- **Cases in Figures**

As in previous years, there was an increase in the number of issues submitted to the Austrian Student Ombudsman as deadlines laid down by law, regulations and institutional rules approached, i.e. in September, when admissions of new students to public universities end and the final results of selection procedures are announced at the universities of applied sciences, in November when the extended deadline ends at public universities and also around the closing date of submissions for applications for support schemes and grants.

Cases by Gender: **45%** of issues were raised by men, **55%** by women.

**13%** of issues were resolved by the OS for the party submitting the case in the latter's favour, in **70%** of issues information was given; in **10%** of issues, investigation showed that the OS has no jurisdiction to deal with the matter or the party submitting the case did not give permission for the OS to pursue the matter further. In **7%** of issues, it was not possible to find a solution.

Distribution of issues according to type of institution:

Public Universities: 233 (49%)  
 Student Financial Aid Authority: 66 (14%)  
 Other Institutions 62 (13 %)  
 Universities of Applied Sciences: 40 (9 %)  
 Institutions not named / not known: 37 (8 %)  
 Teacher Training Universities: 21 (4 %)  
 Private Universities: 14 (3 %)

- **Cases by Topic**

The ten most frequently raised issues were:

140 conditions relating to courses of study (29 %)  
 82 admissions to a course of study (17 %)  
 66 student financial aid (13 %)  
 50 other issues (10 %)  
 41 tuition fees (7 %)  
 23 recognition of examinations and course work (5 %)  
 15 academic degrees (3 %)

13 financial aid and grants (2 %)

13 academic work (2 %)

9 disability, illness (1 %)

The frequency with which issues were raised varied according to the type of institution.

- **Description of Issues**

As in previous reports, detailed accounts of cases were presented in the Annual Report 2017/18 and reports on the results were provided. The laws which have to be considered in each case are presented at the beginning of the case studies. A total of 17 selected cases were described concerning the following issues:

1. Examinations at a public university before the beginning of the winter semester
2. “Cancellation” of admission by a public university
3. Conditions to establish equivalence of preparatory studies in the letter of admission at a public university
4. Discussion of the possibility to retake an exam in accordance with § 77 Universities Act recognised in accordance with § 78 Universities Act at a public university
5. Changes to the curriculum at a public university: Transfer of students from Curriculum A to Curriculum B
6. Exclusion from a degree programme at a certain public university after failure to provide notice of continued enrolment despite punctual payment of the tuition fee at a different institution.
7. Change of a curriculum and threatened loss of financial aid.
8. Delayed completion of study prevented following changes to the curriculum at a public university
9. (Re)admission of a student to a degree programme at a public university in accordance with § 68 (1) Universities Act during the extension period
10. Dissatisfaction with an assessment of a Master’s thesis
11. Online application from an applicant from abroad and fulfilment of the minimum requirements for definite admission to a public university
12. Non-admission of an applicant to a degree programme in the extended application period at a public university due to the impossibility of meeting the deadline for a “personal admission”
13. Joint Degree Programmes of an Austrian university of applied sciences with three foreign universities

14. Electronic signature on official notifications regarding conferral of academic degrees at universities of applied sciences
15. Impossibility of processing a student grant for a person studying at a conservatory due to the lack of a regulation
16. Problems experienced by several individuals studying at a private university with the teaching of a master class
17. Mobility grant

- **Proposals Made to the Governing Bodies and Members of the Institutions of Higher Education and to Lawmakers**

**A total of 10 suggestions were made to lawmakers and to the Minister for Education, Science and Research.**

The suggestions addressed to the governing bodies or members of the higher education institutions or to lawmakers and others in the Annual Report 2017/18 concern:

1. Recognition of exams (§ 78 Universities Act, § 56 Higher Education Act, § 12 University of Applied Sciences Studies Act)
2. Special University Entrance Qualification (§ 65 Universities Act)
3. Public universities, which haven't reach the specified number of applicants registered during the admission process.
4. Publication of training contracts at universities of applied sciences and private universities
5. Appeals at universities of applied sciences in connection with legal protection for examinations (§ 21 FHStG).
6. Students at Austrian institutions of higher education at locations in third countries and their participation in Austrian Student Union elections (§ 47 HSG 2014)
7. Psychological counselling also for students at teacher training universities (§ 68a Student Support Act)
8. Clarification regarding proof of University Entrance Qualification (UBVO 1998)
9. Mobility grants: Extension to the United Kingdom post-Brexit (§ 56d Subsection 1 and 5 Student Support Act)
10. Patent Attorney Act: Adjustment of eligibility criteria for patent lawyers to achieve consistency with the "architecture of the Bologna process" (§ 2 Subsection 1 (d) Patent Attorney Act)

**Seven suggestions were made to governing bodies and members of institutions of higher education.**

1. Information transparency regarding Joint Degree Programmes (where there is no legal norm)
2. Detailed regulations for theses at public universities (§ 83 UG)
3. Official e-signatures on official documents of universities of applied sciences (§ 19 E-

- Government Act)
4. Standardisation of nostrification procedures for degrees in human and dental medicine (where there is no legal norm)
  5. Information about the possibility of making complaints in the language of instruction
  6. Psychological counselling (also) for students in the Vorarlberg Higher Education Area (§ 68a Subsection 1 StudFG)
  7. Studyability

## Summary

The following **activities** from the planned work programme for 2018 were carried out during the reporting period:

- Continued broadening of the dialogue with institutions of higher education (semester meetings, symposia, market place for ideas)
- Semester meetings with the Federal Executive Committee of the Austrian Students' Union
- Recommendations placed in the relevant thematic areas for current and future amendments to laws and regulations
- Innovations and adjustments to higher education substantive laws in connection with the General Data Protection Regulation (GDPR) respectively the Data Protection Amendment Act 2018.

## Outlook

The following events will be held in 2019 in cooperation with different partners:

- Workshop “Coaching as an Instrument in Counselling by Ombudspeople”, March 2019, Vienna
- Symposium “Quality Assurance”, March 2019, University of Innsbruck, Innsbruck
- Symposium “Forgeries”, April 2019, University of Linz, Linz
- Symposium “Threat Management”, June 2019, University of Natural Resources and Life Sciences Vienna
- Symposium “The Potency of the Official Language”, October 2019, Office of the Provincial Government of Styria, Graz

**Work** in 2019 will **focus** on the following areas:

- a special seminar on the taking up and processing of issues by ombudsman offices and possible solutions to such issues including alternative options discussed on the basis of specific examples
- The publication of the names of higher education institutions in annual reports and special reports during the year of the Austrian Student Ombudsman by means of an electronic consultation process
- Analysis, inspection and evaluation of existing contracts of universities of applied sciences and private universities

- Expansion of university conflict management bodies and enabling of mediation for members of higher education institutions
- An INTRANET forum dealing in particular with legal issues for the ombudsman offices
- In addition, a series of workshops will be held within the network of university ombudsmen on specialist English terminology for mediation and conflict resolution in the university ombudsman system
- Intensifying working relationships with the psychological counselling offices as well as expanding these for the Vorarlberg Higher Education Area

### **International Activities**

The Office of the Austrian Student Ombudsman at the Federal Ministry of Education, Science and Research in Vienna has again participated in manifold activities on an international level. Most and foremost it was the involvement in the activities of ENOHE, the European Network of Ombudsmen in Higher Education. There were different presentations made by members of the Ombudsman's Office at the ENOHE Annual Conference in Edinburgh in June 2018. Also the final decision to get the ENOHE statutes issue was taken in Edinburgh. An official proposal will be presented to the respective Austrian authorities in early 2019.

The Austrian Ombudsman's involvement into the AESOP project within ERASMUS+ continued thru mutual consultations when a working group meeting took place in late June 2018. During the Austrian EU Presidency a meeting of the Bologna Follow-Up Group was scheduled in Vienna in late September 2018. This was a good opportunity for the Austrian Student Ombudsman to present the idea of including the institution of the university ombudsman in the Communiqué of next year's ministerial meeting in Rome to be adopted in June 2020.